



INTERNATIONAL  
**T R A D E**  
ADMINISTRATION



# FMS PRESENTATION

## Milipol 2015

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Paris, France

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# A Quick Overview Of FMS

- **The FMS program is a fundamental US foreign policy tool with the goal of:**
  - Achieving world peace
  - Strengthening the security of the United States
- **The Foreign Military Sales (FMS) program is:**
  - U.S. Government's program for transferring defense articles
  - Services and training to other sovereign nations and international organizations
  - When defense articles or services are required, the requesting country's representative provides a Letter of Request (LOR) to their U.S. counterpart
- **FMS is managed and operated by DoD on a no-profit and no-loss basis:**
  - Countries and international organizations participating in program pay for
    - Defense articles and services at prices that recoup actual costs incurred by United States.
      - This includes a fee (currently 3.5% of what the defense articles and/or services cost, in most instances) to cover the cost of administering program

# A Quick Overview Of FMS (cont.)

- **The Secretary of State:**
  - Determines which countries will have programs
- **The Secretary of Defense:**
  - Executes the program
- **FMS is a program of:**
  - The U.S. Department of Defense (DoD) with the Defense Security Cooperation Agency (DSCA) administering the FMS program for DOD
- **The FMS program is conducted through formal contracts or agreements between:**
  - The US government (USG)
  - AND
  - An authorized foreign purchaser
- **FMS requirements ARE restricted by the Berry Amendment:**
  - 10 USC 2533a states that funds appropriated or otherwise made available to DoD shall apply the restrictions of the Berry Amendment.
  - When a country deposits funds into the FMS trust fund (US Treasury Account) these funds take on the same form and function as US Appropriations, thus the Berry requirement

# **1. What Is The Relationship Between The Defense Security Cooperation Agency (DSCA) And FMS Sales?**

- Simply stated the Defense Security Cooperation Agency (DSCA) administers the FMS program for the Department of Defense (DOD)
- DSCA handles Letter of Acceptance processing/LOA writing
- Trust fund management
- Budget allocation
- Training and education
- Policy development
- Country Program and Financial Management
- And more!

# U.S. Army Security Assistance Command Handles The Following FMS Items

- **FMS non-standard items**
  - Inactive/obsolete items such as:
    - previous issue helmets
    - body armor (SAPI and OTV)
- **Long lead time standard items**
  - (Nan's) items that are commercially available such as:
    - BDU's in Woodland
    - Desert camo.
- **Items the SPD does not support:**
  - Command managed items Weapons, Ammo, Vehicles, Parachutes
  - Night Vision Equipment
  - Classified, Sensitive, and Special Forces items
  - Other service managed items (Air Force, Navy, Marine)



Source: Colleen Campbell Chief, Services & Products Division U.S. Army Security Assistance Command

# Guidelines On State- Of- The- Art Military Products For FMS Sales

- **If a country wants to procure an item currently used by US soldiers:**
  - Defense Security Cooperation Agency approval is required
- **The country can work with the US military attaché in said country to:**
  - Help route the request to Defense Security Cooperation Agency (copy USASAC Country Program Manager)



Source: Colleen Campbell Chief, Services & Products Division U.S. Army  
Security Assistance Command

U.S. Department of Commerce | International Trade Administration

## 2. What Are The Differences Between FMS And Direct Commercial Sales (DCS) Of U.S. Defense Articles Or Services?

- **With few exceptions, DoD is generally neutral and does not care whether a customer acquires its defense articles and services under FMS or through Direct Commercial Sales (DCS):**
  - It is a foreign purchaser's option
  - Can depend on customer preference for working with DOD or defense contractor
  - Political considerations in country can be a factor in this decision as well
  - DSCA /State Department can, however, require "FMS Only" with the evaluation criteria of:
    - Pol-Mil relationship with purchaser
    - New or complex system of service
    - Security of sensitive technologies
    - Feasibility of FMS-DCS hybrid
- **In general, Letters of Acceptance (LOA) issued by the U.S Government to the foreign government:**
  - Promote standardization (by providing customers with defense articles identical to those used by U.S. forces)
  - Provide contract administration services which may not be readily available otherwise, and potentially help lower costs by consolidating FMS buys with U.S. purchases
- **With program management by DoD for FMS, there is:**
  - A "Leave the driving to us" form of management
  - Experienced personnel familiar with the equipment
  - FMS charges for this management service
    - i.e. administrative surcharge, non-recurring costs; Quality assurance (contract administration services CAS)
- **Financial Issues-FMS**



# FMS & DCS (cont.)

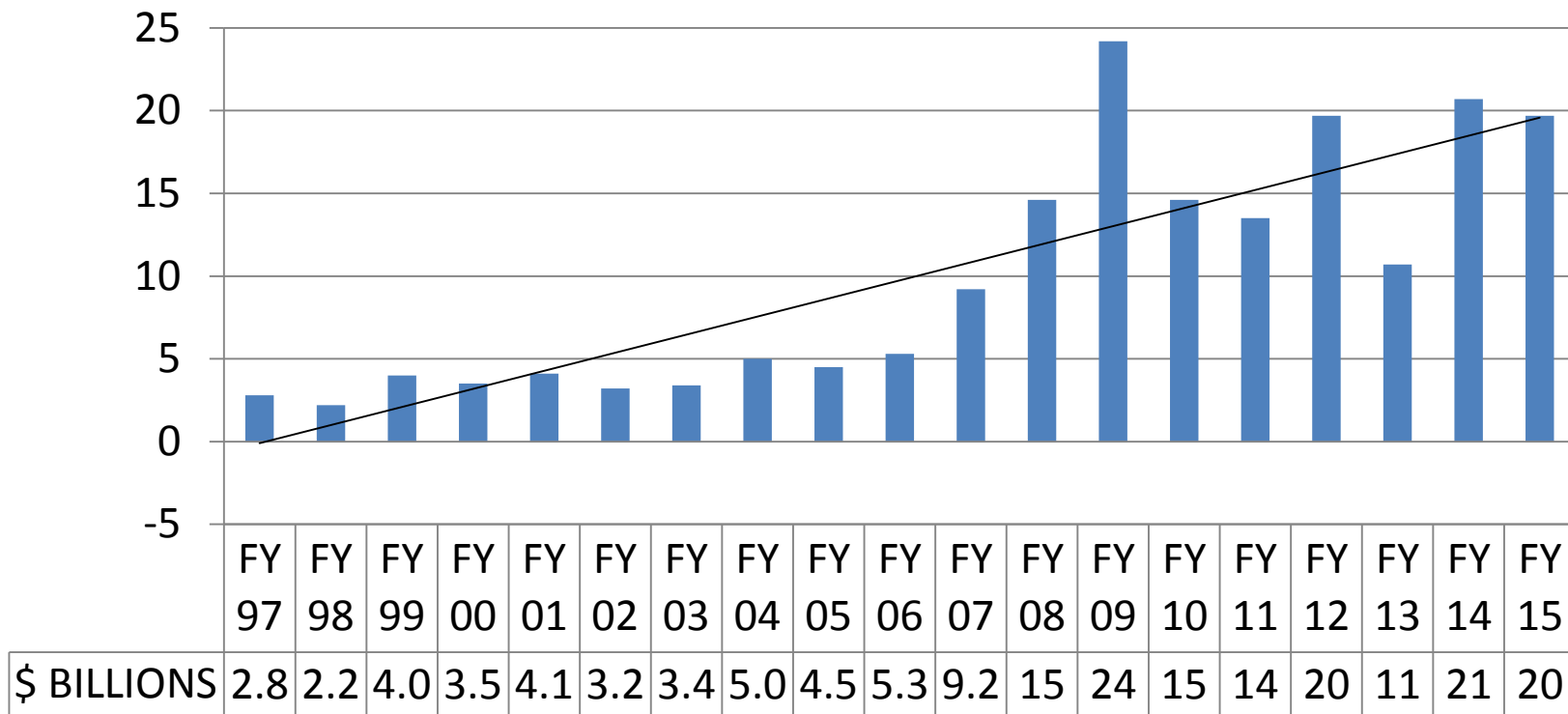
- **Difficult to compare:**
  - LOA estimated price, Total Package Approach
  - Other items to be considered in a total support package include: training, technical assistance, initial support, follow on support
- **The USG consolidates the requirements AND the USG pays on-time**
- **DCS allow the purchaser:**
  - More direct interface during contract negotiation (and likely more opportunity for firm-fixed priced contracting)
  - Acquire non-standard defense articles where special requirements demand tailoring the articles to meet a particular need
- **However in a DCS, the foreign purchaser must assume the responsibility for the management, including:**
  - Contract negotiation
  - Contract administration
  - Technical knowledge and legal review
    - There will be a cost involved and would it be greater than the FMS charges
    - Are there added benefits that will outweigh these additional costs?
- **Financial issues for DCS— fixed pricing:**
  - Contract prices might be lower since you do not have to adhere to DoD procedures
  - Lower quantity may lead to higher prices
  - The use of commercial banking procedures—less money tied up than in Trust Fund
  - Prompt billing
  - One common misperception
    - Although the extent of DoD involvement is different, technology release approvals, and third country transfer approval requirements are the same for both methods of purchase





# ARMY FMS NEW BUSINESS

## FMS Sales (Billions USD)



*Source: John Neil, Director, Performance and Management Officer. U.S Army Security Assistance Command.*

### 3. What Is Required For Eligibility In The FMS Program And What Is Involved In The Process?

- **Do you have a SAM code-active and up to date?\*\*\***
- **Are your products/services Berry compliant?**
- **Do you have an excellent past performance record with DOD?**
- **Are your products in the DSCA library on file?**
  - In other sample libraries of other services?
- **What is involved?**
  - Follow up on the solicitations found on FedBizOpps.gov
    - <https://www.fbo.gov/>
- **Study who has been successful in contracts awarded in the past**
- **Can you piggyback on the prime's contracts?**
- **The following slide from DSCA gives a good overview of involvement**
- **\*\*\*System for Award Management-replaced Cage Code**



# How To Involve Your Company In The FMS Selection Process?

- **Check solicitations on FedBizOpps.gov**
- **Participate in international and domestic military shows**
- **Word of mouth**
- **Have a good vendor website**
- **Send samples and product information to Ms. Campbell for their files and resource library**
- **Companies should send:**
  - Samples
  - Information on the company
  - Contact details etc.
  - This information would cover active and inactive, new and older products
- **Ensure items supplied are Berry Compliant**
- **Small purchases exception applies equally to FMS as it does to DoD requirements:**
  - For DoD or FMS requirements, under the Simplified Acquisition Threshold (SAT), typically \$150,000, the restrictions of Berry Amendment do not apply



# Contact Information For Product Introduction And Mailing Of Samples

**Ms. Colleen Belack Campbell**  
Chief, Services & Products Division  
USASAC, Services & Products Division  
AMSAC-LAS-P  
54 M Avenue, Suite 1  
New Cumberland, PA 17070  
  
(717) 770-7912, DSN 771-7912  
colleen.b.campbell.civ@mail.mil



**\*Please note: Ms. Campbell accepts small, inexpensive samples, catalogs and product brochures. Please do not send expensive bulky items.**

#### **4. “I Want To Participate In Any Type Of Foreign Government Contracts. What Are The Best Resources And How And Where Can I Check To See If New Contracts Arise?”**

- **The first “go to” would be FedBizOpps.gov**
- **Check DoD Defense contracts—this site below shows**
- **All the government contracts that have an FMS country component:**
  - [http://search.defense.gov/search?utf8=%E2%9C%93&sc=0&query=%28DO+foreign+contracts+for+FMS&m=&affiliate=dl\\_contracts&commit=Search](http://search.defense.gov/search?utf8=%E2%9C%93&sc=0&query=%28DO+foreign+contracts+for+FMS&m=&affiliate=dl_contracts&commit=Search)
- **Are you listed on the NATO NSPA website?**
  - We have a tutorial that can walk you through the steps to be listed on NATO procurement
- **Have you established a relationship with key US defense contractors?**

# DoD Contracts For FMS



## U.S. DEPARTMENT OF DEFENSE

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We're including results for [dod foreign contracts for fms](#). Do you want results only for [\(DOD foreign contracts for FMS?\)](#)  
About 21,300 results • [Advanced Search](#)

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[Defense.gov Contracts for Tuesday, July 02, 2013](#)  
[www.defense.gov/contracts/contract.aspx?contractid=5077](http://www.defense.gov/contracts/contract.aspx?contractid=5077)  
**United States Department of Defense.** News. News Articles; News ... **foreign military sales contract** with a maximum value of \$7,745,923 for sustainment ...

[Defense.gov Contracts for Wednesday, July 17, 2013](#)  
[www.defense.gov/contracts/contract.aspx?contractid=5087](http://www.defense.gov/contracts/contract.aspx?contractid=5087)  
**United States Department of Defense.** News. News Articles; ... This **contract** includes **foreign military sales** to Japan (28 percent), Australia (24 ...

[Defense.gov Contracts for Thursday, July 11, 2013](#)  
[www.defense.gov/contracts/contract.aspx?contractid=5083](http://www.defense.gov/contracts/contract.aspx?contractid=5083)  
**United States Department of Defense.** News. News Articles; News ... **foreign military sales (FMS) contract** with a maximum value of \$20,727,996 for the ...

[Defense.gov Contracts for Friday, July 12, 2013](#)  
[www.defense.gov/contracts/contract.aspx?contractid=5084](http://www.defense.gov/contracts/contract.aspx?contractid=5084)  
**United States Department of Defense.** News. ... **Contracts.** Defense Logistics Agency ... This contract will support **Foreign Military Sales (FMS)** ...

[Defense.gov Contracts for Friday, May 24, 2013](#)  
[www.defense.gov/contracts/contract.aspx?contractid=5048](http://www.defense.gov/contracts/contract.aspx?contractid=5048)  
**United States Department of Defense.** News. News ... was awarded a firm-fixed-price, **foreign-military-sales (FMS) contract** with a maximum value of ...

[Defense.gov Contracts for Tuesday, August 20, 2013](#)  
[www.defense.gov/contracts/contract.aspx?contractid=5116](http://www.defense.gov/contracts/contract.aspx?contractid=5116)  
**United States Department of Defense.** News. News Articles; News/Casualty Releases; Press Advisories ; ... This **contract** involves **foreign military sales** ...

[Defense.gov Contracts for Monday, May 05, 2014](#)  
[www.defense.gov/contracts/contract.aspx?contractid=5278](http://www.defense.gov/contracts/contract.aspx?contractid=5278)  
**United States Department of Defense.** News. ... under the **Foreign Military Sales** program. ... This urgent 100 percent **foreign military sales** definiti ...

[Defense.gov Contracts for Wednesday, May 22, 2013](#)  
[www.defense.gov/contracts/contract.aspx?contractid=5046](http://www.defense.gov/contracts/contract.aspx?contractid=5046)  
... **contract numbers M67004** ... (P00008), to a previously awarded firm-fixed-price,

U.S. Department of Commerce | International Trade Administration

# 5. Is There A Centralized Location For Foreign Contracting Officers That We Can Be In Contact With?

- [https://www.fpds.gov/fpdsng\\_cms/index.php/en/reports/62-top-100-contractors-report3.html](https://www.fpds.gov/fpdsng_cms/index.php/en/reports/62-top-100-contractors-report3.html)

**Federal Procurement Data System - Next Generation**

» Home » Newsroom » **Reports** » Status » Worksite » Archives » Training » Help

**Login**

Log-In:

Password:

**Login**

» Forgot Your Password?

» Security and Privacy

» Contact Help Desk

» You must click [here](#) for very Important D&B Information

**Registration**

» Register

» Who Should Register?

**Top 100 Contractors Report**

The top 100 contractors Report contains an individual report across federal government wide data and reports by Department.

Fiscal Year 2013 **NEW**

Fiscal Year 2012

Fiscal Year 2011

Fiscal Year 2010

Fiscal Year 2009

Fiscal Year 2008

Fiscal Year 2007

Fiscal Year 2006

**Top Requests**

» Recovery Report

» Recovery Data (Recipient-Reported, Cumulative Summary)

» Recovery Data (Recipient-Reported, FY2013Q4)

» Hurricane Sandy Report

» Hurricane Irene Report

» Pacific Earthquake/Tsunami

» Hurricane Earl Report

» Gulf Oil Spill Report

» Haiti Earthquake Report

» Hurricane Katrina Report

» Hurricane Rita Report

» Other Hurricane/Disaster Relief

» Oklahoma Tornado 2013 Report

	A	B	C	D	E	F
	Global Vendor Name	Number of Actions	Dollars Obligated	%Total Actions	%Total Dollars	
1	LOCKHEED MARTIN CORPORATION	21,026	\$44,114,358,506.35	0.1555%	9.6372%	
2	THE BOEING COMPANY	10,377	\$21,173,087,378.05	0.0768%	4.6255%	
3	RAYTHEON COMPANY	11,368	\$14,060,400,339.75	0.0841%	3.0716%	
4	GENERAL DYNAMICS CORPORATION	18,400	\$13,108,903,766.23	0.1361%	2.8638%	
5	NORTHROP GRUMMAN CORPORATION	11,905	\$9,996,020,880.37	0.0881%	2.1837%	
6	SAIC INC.	30,348	\$6,302,144,344.04	0.2245%	1.3768%	
7	HUNTINGTON INGALLS INDUSTRIES INC.	4,168	\$6,238,231,522.89	0.0308%	1.3628%	
8	L-3 COMMUNICATIONS HOLDINGS INC.	10,543	\$5,777,501,347.05	0.0780%	1.2621%	
9	UNITED TECHNOLOGIES CORPORATION	11,876	\$5,713,677,076.03	0.0879%	1.2482%	



# U.S Contractor Registration

- <https://www.uscontractorregistration.com/local-contracts>



Complete System for Award Management Assistance  
By the 3rd Party Registration Firm

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## 1-877-252-2700

Call Now for Government Contractor Registration

### Search Contracts

By filling out the below form a Placement Specialist will search for available Federal work in your industry along with your Business coverage area. This service will aid business looking to use FBO.gov search or Federal Business Opportunities as well as GSA E-library to locate Competition and find out about available federal contracts. The Placement Specialist will analyze current Federal Contractors as well as Current Federal Opportunities up for bid.

All new Potential vendors along with existing Contractors trying to locate additional Federal Contracts should fill out this form.

### For General Information please call 877-252-2700

More information about getting registered  
USFCR Placement Department  
[placement@usfcr.gov](mailto:placement@usfcr.gov)

Current client with questions  
USFCR Customer Service  
[customerservice@usfcr.gov](mailto:customerservice@usfcr.gov)

### Government Contract Information

Please Fill In the Below Form To Have a US Federal Contractor Registration placement specialist contact you about available government contracts in your area

Business Name: *	<input type="text"/>
First Name: *	<input type="text"/>
Last Name: *	<input type="text"/>
Daytime Phone: *	<input type="text"/> (000) 000-0000
Email:	<input type="text"/>
Areas of Interest:	<input type="text"/>
Security Code: *	<input type="text"/>

[Contact Us](#)

USFCR charges for Full Service Registration, which includes a dedicated case manager to physically process government registration paperwork on the client's behalf. The Government offers registration forms for free at SAM.gov but SAM.gov will not physically process these forms for the client. All Fees Paid to USFCR are for the filing of government paperwork on a client's behalf, saving the entity time and ensuring accurate filings.

## 6. Is There A Way To Track FMS Sales of Apparel & Footwear or of All Military Apparel & Footwear Exports?

- **According to the U.S Army Security Assistance command:**
  - There is no access to their FMS files
  - Any such enquiries would have to be done on a case by case basis as a manual enquiry
- **Industry cannot query this data by themselves from their websites**
- **U.S bureau of Census**
  - <http://www.census.gov/foreign-trade/statistics/product/enduse/exports/index.html> end use code 50060
- **Category 10 - PPE and Shelters**
  - <https://www.pmddtc.state.gov/reports/documents/655%20Report%202014.pdf>
- **Amount and Expenditures per country**
  - [https://www.pmddtc.state.gov/reports/documents/rpt655\\_FY14.pdf](https://www.pmddtc.state.gov/reports/documents/rpt655_FY14.pdf)

## 8. What Are The 3 Key Things That I Need To Ensure I have Ready Before I Submit a Bid For Direct Commercial Sale to A Foreign Government?

- **Confirm:**
  - The type of license that is needed to sell to that country
  - That you have permission from the U.S government to sell X product to X country
- **Ensure the request was received through proper channels**
- **Identify any sanctions that may preclude the sale**
- **Can you supply the products they need in the time frame needed with no penalty to your company, should you not meet the deadline?**
- **Keep in mind:**
  - With DCS there is no guarantee of payment from the federal government
  - If the foreign entity withholds payment, you have no direct recourse to payment collection from the federal government
- **What are your defined requirements for:**
  - Training, after sales training and warranties/guarantees
- **Consult your international attorney**
  - Understand the legal system and payment framework

# 9. What Needs to be Done to Improve The FMS System or to Promote The U.S Military Apparel & Footwear Industry to Foreign Governments?

- **We are not in a position, nor operating from a knowledge base, to even offer suggestions to improve the FMS system**
- **We do want U.S companies to see how they can expand their profile domestically and internationally to attract foreign buyers and foreign governments:**
  - There is a military attaché association in Washington DC
    - Perhaps meeting with the military Attaché association could be beneficial.  
<http://www.wama-dc.com/>
- **Sources of information for foreign buyers come from the listing below:**
  - Internet
  - News Media
  - Publications
  - Air/trade shows
  - Visits and Observer Missions
  - U.S. Site Surveys
  - Attendance at U.S. Military Schools
  - U.S. Defense Contractors
  - Department of Defense
  - Security Cooperation Officer

## 7. What Are The Three Key Things That I Need to Ensure I Have Ready Before I Submit A Bid for FMS Contract?

- **Understand**
  - The scope of the request, requirements and time frames for delivery
  - That you can comply with Milspec requirements
- **Your products are Berry compliant**
  - Send samples and product information to Ms. Campbell for their files and resource library
- **Your company can:**
  - Handle orders that could take extended time frame before the orders are actually processed
  - Can your company handle the financial lead time?
  - Dovetailing the scheduling of orders for both FMS and your current orders?

# 10. What Are Some Areas That The Domestic Military Apparel And Footwear Sectors Need To Explore To Sustain A Manufacturing Base?

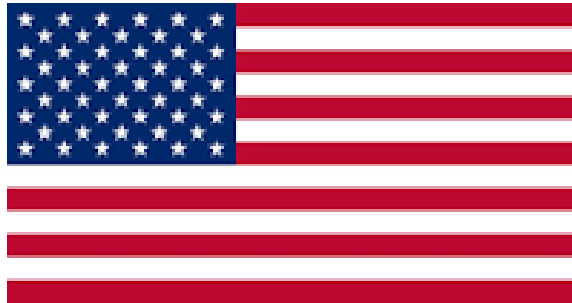
- **With the resurgence of Made in America, reshoring, back shoring etc., there are opportunities for:**
  - Cut and sew
  - Fabric development in the apparel markets to include outdoor active-wear, handbags etc.
  - The home, hospitality and contract markets offer opportunities for innovative products
- **Hospitality market is growing in the United States, and is a huge user of textiles**
- **Enlist in our Made in USA database**
- **Become “visible” at local chamber events**
- **Enroll in the NATO procurement database**
- **Become members of fashion associations where skilled cut and sew skills are needed**
- **Contact the US Olympic team and notify them of your manufacturing skills**
- **Revisit your PTAC office for updates**
- **Work with defense contractors who have a strong history of FMS Sales**
- **Take part in Industry Days at military labs/bases/agencies**
- **Check the Rapid Innovation Fund for updates on DoD needs**
  - [www.defenseinnovationmarketplace.mil/RIF.html](http://www.defenseinnovationmarketplace.mil/RIF.html)

# Defense Security Cooperation Agency

## Contact Information

For questions on DSCA's role in FMS or general FMS questions,  
please contact:

- DSCA general telephone number: 703-601-1646
- The email address is: [dsca.do@dsca.mil](mailto:dsca.do@dsca.mil)





# Resources

- Retrieved 11 12, 2014, from U.S Department of Defense: [http://search.defense.gov/search?utf8=%E2%9C%93&sc=0&query=%28DOD+foreign+contracts+for+FMS&m=&affiliate=dl\\_c+contracts&commit=Search](http://search.defense.gov/search?utf8=%E2%9C%93&sc=0&query=%28DOD+foreign+contracts+for+FMS&m=&affiliate=dl_c+contracts&commit=Search)
- Retrieved 11 12, 2014, from Connecticut Procurement Technical Assistance Program: <http://www.ctptap.org/index.htm>
- *Chapter 4*. Retrieved 11 12, 2014, from Defense Security Cooperation Agency: <http://samm.dsca.mil/chapter/chapter-4>
- *Find your local PTAC*. Retrieved 11 12, 2014, from Defense Logistics Agency: <http://www.dla.mil/SmallBusiness/Pages/ptac.aspx>
- *Search Contracts*. Retrieved 11 12, 2014, from U.S Federal Contract Registration: <https://www.uscontractorregistration.com/local-contracts>
- *U.S Exports by 5 digit end code*. Retrieved 11 12, 2014, from United States Census Bureau: <http://www.census.gov/foreign-trade/statistics/product/enduse/exports/index.html>
- Colleen Campbell, Chief, Services & Products Division, U.S Army Security Assistance Command
- John Neil, Director, Performance & Process Management Officer, U.S Army Security Assistance Command
- *Changes During The Life of Your FMS Program* . (n.d.). Retrieved 11 12, 2014, from Defense Security Cooperation Agency: <http://dsca.mil/2014-foreign-customer-guide/changes-during-life-your-fms-program>
- *Generic DISAM Presentations*. (n.d.). Retrieved 11 12, 2014, from Defense Institute of Security Assistance Management : <http://www.disam.dsca.mil/pages/pubs/presentations.aspx>
- Jr., S. J. (2012). US Foreign Military Sales Top \$65 Billion. *Breaking Defense*.
- Lerman, D., & Wall, R. (2013). U.S Defense Contractors Focus on Foreign Buyers. *Bloomberg Businessweek*, 1-4.
- *Top 100 Contractors Report*. (n.d.). Retrieved 11 12, 2014, from Federal Procurement Data System: [https://www.fpds.gov/fpdsng\\_cms/index.php/en/reports/62-top-100-contractors-report3.html](https://www.fpds.gov/fpdsng_cms/index.php/en/reports/62-top-100-contractors-report3.html)
- *Section 655 Annual Military Assistance Reports*. (n.d.). Retrieved 11 12, 2014, from U.S Department of State: [https://www.pmddtc.state.gov/reports/655\\_intro.html](https://www.pmddtc.state.gov/reports/655_intro.html)
- Retrieved 11 12, 2014, from Washington Association of Military Attaches : <http://www.wama-dc.com/>

# OTEXA CONTACT FOR TECHNICAL TEXTILES

Ms. Mary Lynn Landgraf  
Senior International Trade Specialist  
Office of Textiles and Apparel  
U.S. Department of Commerce  
1401 Constitution Ave., NW, Room 30003  
Washington, DC 20230  
Tel: 202-482-7909  
Fax: 202-482-2331  
Email: [mary-lynn.landgraf@trade.gov](mailto:mary-lynn.landgraf@trade.gov)  
<http://otexa.trade.gov>





U.S. Department of Commerce  
Bureau of Industry & Security

# Export Administration Overview -- Regulations & Licensing

Milipol

Paris, France

Stephen Hall-Office of Exporter  
Services

Updated November 9<sup>th</sup> 2015



# The Threat

## Why Export Controls ?

Dangers of illegal exports of controlled goods and technologies are very real:

- WMD Proliferation
- Weapon Design/Manufacture
- Industrial Espionage
- Diversion to terrorist countries or groups





# The Threat

Significance: Both national security and U.S. economy can be seriously damaged by illegal exports.

Damage to the economy can include loss of large amounts of proprietary R&D done over many years.

Loss of proprietary R&D can result in the establishment and/or enhancement of foreign competitors in leading edge technology sectors



# Export Administration Regulations (EAR)

Covers the export, re-export or in-country transfer of items.

- Items include equipment, parts, materials, software source code and technology.
- Services and intangible technology are also subject to controls.
- Scope: countries, specially designated groups, and military end-use/end-users



# Commerce Licensing

- Approximately– 43,200 licenses processed annually- up 68% from last year
- Average processing time 30 days





## Top Ten Categories Requiring Export Licenses from the U.S. Dept. of Commerce

1. Material Processing (motion simulators, detection devices etc.)
2. Materials, Chemicals, Toxins
3. Nuclear Materials
4. Electronics
5. Telecommunications & Information Security
6. Propulsion
7. Sensors and Lasers
8. Navigation and Avionics
9. Marine
10. Computers & Related Software & Technology



# Do you need an Export License ?

- *Determining license requirements:*
  - *EAR99 or CCL Considerations*
- *What is my item?*
  - Is it on a control list?*
  - If so, why is it controlled?*
  - Where is it going ?*
  - Who will receive it ?*
  - What are they going to do with it ?*



## Special Controls

- *Remember- most items going to or ending up in the following countries will require a license where there is a strong possibility of denial:*
  - Cuba- new exception available
  - Sudan
  - North Korea
  - Syria
  - Iran



# What is Technology ?

- In the EAR--“specific information necessary for the ‘development,’ ‘production,’ or ‘use’ of a product.”
- Released in: blueprints, manuals, models engineering diagrams etc.





# Textile -Related Items Requiring a License to Export

- U.S. Dept. of State:
- ITAR –Category XVI-Items for Nuclear Use- e.g. uniforms
- ITAR- Category X- (2) Specialized clothing, helmets, shelters, body armor



# Textile-Related Items Requiring a License to Export

- U.S. Dept. of Commerce- Bureau of Industry and Security:
  - 1A005- body armor
  - 1B101- equipment for production of composites, fibers (e.g. filament winding fiber placement machines, converting polymeric fibers and special fiber surface treatments
- Certain uniforms used in biological/nuclear activities





# License Procedures-Dept. of Commerce

1. Obtain PIN from SNAP-R
2. SNAP-R- complete basic information  
who is the end-user ?  
what country is it going to ?  
specifications of the product  
quantity and purpose  
attempt classification determination
3. Reviewed by License Officer at BIS
4. Decision- approve, denied, returned without action
5. Conditions attached if approved- reviewed with applicant
6. *Important- Sign the application !!!*







## For every export sale

- Check the customer !
  - Use Commerce, Treasury and State Department lists—
  - Available at [www.bis.doc.gov](http://www.bis.doc.gov) then look for tab "Consolidated Screening List"



# Keeping Compliant

## Export Compliance/Management Plan:

Excellent method to keep track of export control requirements and achieve compliance

Internal record keeping documents- outlines responsibilities , control procedures e.g. foreign visitors, employees etc., exports of controlled items and technology





# Contacting Us

U.S. Dept. of Commerce (dual-use licenses)

-Washington D.C. telephone- 202- 482-4811

-Irvine, CA office- telephone- 949- 660-0144

Web site – [www.bis.doc.gov](http://www.bis.doc.gov)- has FAQ's for  
deemed exports & upcoming workshops

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U.S. Dept. of State (military-related licenses)

Telephone- 202-663-1282

Web site: [www.pmddtc.state.gov](http://www.pmddtc.state.gov)